



PATENT  
Attorney Docket No. 101.0084-00000  
Customer No. 22882  
Express Mail Label No. EL849519549US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gary K. Michelson, M.D.

Serial No.: 09/457,228

Filed: December 8, 1999

## For: SPINAL IMPLANT SURFACE CONFIGURATION

Assistant Commissioner for Patents  
Washington, D.C. 20231

Group Art Unit: 3738

Examiner: B. Snow

JUL 3 1 2001

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Sir:

**REPLY TO RESTRICTION REQUIREMENT UNDER 35 U.S.C. § 121**

This communication is in reply to the restriction requirement dated May 31, 2001, the period for reply having been extended for one month by a request for extension and fee payment filed concurrently herewith. Applicant elects Group I for Examination purposes and provisionally elects claims 57-108, 114-120, and 146-200 drawn to Species 4, Figs. 16-18 for prosecution on the merits.

**IN THE CLAIMS:**

Please cancel claims 121-130 and amend the claims (with changes as shown in the attachment) as follows:

57. (Amended) An interbody spinal implant for insertion between adjacent vertebral bodies of a human spine, said implant comprising:

2001 AZERG321 00000061 09457228 110.00 0P